



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 1, 2008
AGENDA DATE: October 8, 2008
PROJECT ADDRESS: 1823 Grand Avenue (MST2008-00381)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Zoning & Enforcement Supervisor *RLB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 10,000 square foot project site is currently developed with a duplex. During a recent remodel, a laundry room was converted to a bedroom. To meet building code requirements the ceiling height was raised by one foot. The discretionary application required for this project is a Modification to permit the "as-built" alteration to a portion of a building located within the required fifteen-foot (15') front yard setback (SBMC §28.18.060).

Date Application Accepted: September 9, 2008 Date Action Required: December 9, 2008

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project with a condition.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Ken Kruger	Property Owner:	John Luca
Parcel Number:	027-061-004	Lot Area:	10,000 sf
General Plan:	12 Units Per Acre	Zoning:	R-2
Existing Use:	Two-Family Residence	Topography:	25% Slope

Adjacent Land Uses:

North - Residential
 South - Residential

East - Residential
 West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	3,294 sf duplex	N/A
Garage	306 sf	N/A
Accessory Space	N/A	N/A

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	15'	5'	5'

V. DISCUSSION

This project was reviewed by the Architectural Board of Review on August 18, 2008 and given final approval with the condition that all detailing and colors are to match existing.

The existing duplex on site was originally constructed in the late 1920's within five feet of the front lot line. Currently the structure is undergoing a major remodel by the new property owner. During construction, field changes occurred relating to the conversion of the original laundry room to a bedroom. An increase in the plate height of approximately 6-12 inches was necessary to meet current code requirements for new habitable space. The increase in the ceiling height changed a portion of the residence that is non-conforming to the current 15' front setback and therefore needs a Modification. Although Staff discourages use of the Modification process for "as-built" construction, there are benefits to this application. The "as-built" alteration resulted in an additional bedroom for the site while maintaining the existing footprint. Due to grade changes between the property and the adjacent right-of-way, as well as an existing privacy fence, the increase in building height does not impact adjacent neighbors nor is it obvious from the street.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.. The increase in height is minimal, will provide an additional bedroom for the residence within the existing footprint, and is not expected to impact surrounding properties.

Said approval is subject to a condition that a Zoning Compliance Declaration be recorded against the property's title.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated September 4, 2008
- C. Neighbor Letters of Support

Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470

John Luca
1823 Grand Ave.
Santa Barbara, CA 93105

September 4th, 2008

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

Re: Modification for 1823 Grand Avenue, APN# 027-061-004; R-2 Zone

There is an existing re-built room (insulation and drywall remain to be installed) approximately 12 ft by 19ft at the front of our home. This room is the same exact size and shape of a pre-existing room that was built with permits years ago. The room was shown on prior plans as a laundry room.

On February 25th, 2008 plans were approved to remodel and convert the existing laundry room to a bedroom and an adjoining utility room into a bathroom.

On May 19th, 2008 plans were approved which included, amongst other things, details for work to be done on aforementioned room.

Once work began, field decisions were made to meet current building and safety standards that necessitated raising the plate height about 6-12 inches at the front of the house. A header was placed above a pre-existing window which previously had no header and ceiling height raised to meet current code requirements. The prior roof had drainage issues, so the roof pitch was increased slightly.

On June 20th, 2008 a permit was issued to re-shingle with red/brown composition shingles to match the existing shingles on the rest of the house. The new roof was installed.

On June 23rd, 2008 a correction notice was issued stating, 'obtain revision to raise plate height on approx. 12' by 19' section of house in front'.

On July 17th, 2008 revised plans were approved which addressed the plate height issue and other construction details.

In August we were told that plate height, roof pitch, and other exterior changes (such as new windows and non-combustible siding to meet new fire codes) would have to be approved by ABR. We were not told of any modification requirements, only that we needed to go to ABR. An ABR meeting was scheduled and all changes were approved on August 18th.

The exterior of the rebuilt room is sided to look like the rest of the house and painted to match. The roofing material is the same as the rest of the house. Before and after photos are included so you can see the room as it was and how it is.

We apologize for the misunderstanding on our part concerning the fact that external changes include those changes necessitated by current building codes. We proceeded with rebuilding the room in reliance on the series of permits that were issued. We believe that we have rebuilt this room to current standards while changing the exterior as little as possible, as approved by ABR on August 18th. We thought that ABR approval and the various permits issued per submitted plans had addressed all issues concerning this remodel.


We were informed on September 2nd for the first time that the changes made were considered exterior changes that would require a modification under the zoning code.

Pursuant to the staff's request, we are requesting that a modification be granted to allow us to maintain the changes already made to the front bedroom such as front plate height (changed to meet ceiling height requirement and to allow for a header above existing front window), roof pitch, and new windows and non-combustible siding to match existing, both changed to satisfy new fire code requirements.

The room in question has been part of this home for over fifty years. I am the proud father of four children and this room is planned for my oldest daughters Cicely and Gianna. Granting the modification would allow this old home, some of which may have been built in 1910, to retain its integrity and Lower Riviera charm and character. Removing it doesn't make sense to us because it is not a new room, and would be a great loss for me and my family, financially, esthetically, and functionally. Honestly, it would be quite a hardship after all the time and money we have spent for plans, permits, materials, labor, and changes (such as new windows and siding) made to meet code requirements.

ABR approved the exterior changes. We have spared no expense and taken no short-cuts. We feel we have improved the property immensely, and our neighbors are very happy with the work we have done. Their letters of support are available. Although we do not understand why a modification hearing is necessary for work which already received city approval before we completed it, we ask that you please consider the hardship it would cause us to not be able to complete the remodel on our home and that you please grant our request for a modification.

Sincerely,



John F. Luca

City of Santa Barbara
Staff Hearing Officer

To Whom It May Concern:

I live on Grand Ave., just across the street from John Luca's residence (1823). My family and I are extremely grateful to John for the time and dedication he has devoted to the rehabilitation of that property—to the benefit of every homeowner on this block. We had watched, over the past 11 years, as the former owner had grossly abused the property in a variety of ways.

We are especially grateful to John for replacing the roof, as that is a part of the house that we view daily. One portion of that roof, near the right front section of the house, had been deteriorating for years due to the fact that it had no pitch to it and gathered and retained water each winter. Without any slope to the roof it also looked as though that section of the house had been added on as a hasty afterthought—we thought it cheapened the overall look of the structure and, worse, we had grown tired of looking at the large puddle of water that formed on that roof every year. Thankfully when John replaced that section he had it pitched so that, now, it looks more integrated with the structure of the rest of the house and will not retain any water—come the next rainy season.

We appreciate all the improvements that John has made while respecting the integrity of the building and we look forward to having John and his family as our neighbors.

One side note: Last week I spoke with an elderly couple who were taking photographs of 1823 Grand on a weekend afternoon. Apparently the man had lived in the house in 1954 while he was attending the Santa Barbara State Teachers College (Grand Ave. was, then, the fraternity and sorority row for the College). The couple was very impressed with John's renovation as the house was the same one they remembered but much improved in appearance.

Sincerely,

Brian Billings
1824 Grand Ave.
Santa Barbara, CA
93103

Pascale Basso
1764 Prospect Avenue
Santa Barbara, CA. 93103

September 8, 2008

Subject: 1823 Grand Avenue
To: staff hearing officer

To whom it may concern,

I am very happy that John Luca
has been remodeling the above property
which had been in disrepair for so
long.

John has not changed the size or
shape of the existing home: it just
looks so much better now that it has
been rebuilt!

I am very happy with his work!

Sincerely,

Pascale